

Appl. No.: 10/634,607

REMARKS

Claims 1-22 are pending in the present application. Claims 6, 7, 9, and 14 have been withdrawn in response to an earlier restriction requirement. Claims 15 and 16 have been amended. No new matter is added by the amendments, which find support throughout the specification and figures. In view of the amendments and the following remarks, favorable reconsideration of this case is respectfully requested.

Applicants note with appreciation that the Examiner acknowledges that claims 1-5, 8, and 10-13 are allowable.

The Office Action rejects claim 15 under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner asserts that the claim 15 is unclear as to "how the active material forms a positive current collector," and that it is unclear "what is meant by 'the positive current collector separated from the negative electrode by a separator'" (Office Action; page 3, lines 5-8).

Applicants herein amend claim 15 so that the structure recited corresponds to figure 1 and the description in the specification at page 14, lines 9-17. It is therefore respectfully submitted that the claim is definite and allowable.

The Office Action rejects claims 15 and 16 under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Publication No. 3-182051 to Shinozaki et al. (hereinafter referred to as Shinozaki). The Office also rejects claims 15 and 16 under 35 U.S.C. § 102(e) as being anticipated by United States Patent Publication No. 2002/0073534 to Kurosaki et al. (hereinafter referred to as Kurosaki) or by United States Patent No. 6,641,759 to Harada et al. (hereinafter referred to as Harada). Applicants respectfully traverse.

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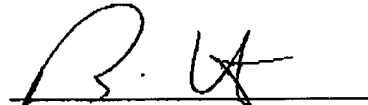
It is respectfully submitted that none of the cited references disclose or suggest the feature of allowable claim 1 of the nitrogen-containing heterocyclic compound is one or more compounds being selected from the group consisting of imidazole, triazole, pyrazole, and their derivatives. Claims 15 and 16 have been amended to include this feature, therefore it is respectfully submitted that these claims are allowable.

CONCLUSION

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


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